

REMARKS

Claims 1-4 and 6-20 are pending. Claims 1 and 19 have been amended. Claim 5 has been incorporated into claim 1 and canceled. As claim 5 has been previously examined, this amendment does not require further search or consideration and Applicant requests that the amendment be entered. Applicant notes with appreciation the allowance of claims 12-18.

Rejections under 35 U.S.C. § 102 and § 103

Claims 1-4, 6-9, 11, 19, and 20 stand rejected under 35 U.S.C. § 102 in light of U.S. Patent No. 6,766,285 to Allen et al. ("Allen"). Claim 10 stands rejected under the combination of Allen and U.S. Patent No. 6,567,716 to Yasuda ("Yasuda"). As the PTO provides in MPEP § 2131, "[t]o anticipate a claim, the reference must teach every element of the claim" As provided in MPEP § 2143, "[t]o establish a prima facie case of obviousness, ... the prior art reference (or references when combined) must teach or suggest all the claim limitations." Therefore, each reference or combination of references applied under 35 U.S.C. § 102 and § 103 must disclose all of the elements of the claims to sustain the rejection. Accordingly, Applicant respectfully traverses these rejections on the following grounds.

Claims 1-4 and 6-11

Claim 1, as amended, recites in part an operation associated with at least one operation acceptance attribute indicating a property of the operation, the method comprising comparing the product contributive attribute and the operation acceptance attribute prior to performing the operation on the product, wherein the operation acceptance attribute identifies contaminants unacceptable to the operation.

Applicant submits that Allen fails to teach or suggest the above element. Furthermore, the combination of Yasuda and Allen fails to teach or suggest the above element because the cited text of Yasuda is directed to the contamination of a product, not the contamination of an operation. Accordingly, Allen and Yasuda, whether taken singly or in combination, fail to teach or suggest every element of claim 1 as required by MPEP § 2131 and MPEP § 2143, and claim 1 is allowable

over the cited references. Claims 2-4 and 6-11 depend from and further limit claim 1 and are allowable for at least the same reason as claim 1.

Claims 19 and 20

Claim 19, as amended, recites in part means for identifying a process route for a product prior to manufacturing the product, wherein the process route includes a process recipe identifier corresponding to a process recipe associated with the product, at least one of a product contributive attribute and a product routing attribute, and at least one of an operation contributive attribute and an operation acceptance attribute; an attribute file associated with the product, wherein the attribute file includes the at least one product contributive attribute and product routing attribute; and an operation file associated with an operation, wherein the operation file includes the at least one operation contributive attribute and operation acceptance attribute.

Applicant submits that Allen fails to teach or suggest means for identifying a process route for a product prior to manufacturing the product. Moreover, the Examiner noted on page 6 of the Office action that “the process recipes for each product taught by Allen are considered to be product attribute files.” As amended, Applicant submits that the product attribute file is separate from a process recipe, and Allen fails to teach or suggest a product attribute file as recited in claim 19. Furthermore, the combination of Yasuda and Allen also fails to teach or suggest the above elements, because the cited text of Yasuda fails to remedy the above identified deficiencies of Allen. Accordingly, Allen and Yasuda, whether taken singly or in combination, fail to teach or suggest every element of claim 19 as required by MPEP § 2131 and MPEP § 2143, and claim 19 is allowable over the cited reference. Claim 20 depends from and further limits claim 19 and is allowable for at least the same reason as claim 19.

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Conclusion

It is respectfully submitted that all the claims in the application are in condition for allowance. Should the Examiner deem that any further amendment is needed to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the below listed telephone number.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 14, 2005.

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